



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

08 May 2009

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

Contents of This Issue

1.0	U.S. Federal Regulatory Review	4
1.1	Federal Register Summary	4
1.2	Significant News and Other Developments	7
1.3	Regulatory Communication Working Group Updates	8
2.0	State Regulatory Reviews	9
2.1	Alabama State Regulatory Review	9
2.2	California State Regulatory Review	10
2.3	Colorado State Regulatory Review	11
2.4	Florida State Regulatory Review	12
2.5	Louisiana State Regulatory Review	12
2.6	Maryland State Regulatory Review	13
2.7	Mississippi State Regulatory Review	13
2.8	New Mexico State Regulatory Review	14
2.9	Ohio State Regulatory Review	14
2.10	Texas State Regulatory Review	15
2.11	Utah State Regulatory Review	15
2.11.1	<i>Western Climate Initiative</i>	15
2.12	Virginia State Regulatory Review	16

Acronyms

AAM = *Alabama Administrative Monthly*

AB = Assembly Bill

ADEM = Alabama Department of Environmental Management

CAA = Clean Air Act

CCR = *California Code of Regulations*

CFR = *Code of Federal Regulations*

CO₂ = Carbon dioxide

COMAR = *Code of Maryland Regulations*

CRNR = California Regulatory Notice Register

CTG = Control techniques guideline

CZMA = Coastal Zone Management Act

DSW = Definition of solid waste

EPA = U.S. Environmental Protection Agency

EPCRA = Emergency Planning and Community Right-to-Know Act

FAW = Florida Administrative Weekly

FDEP = Florida Department of Environmental Protection

FR = *Federal Register*

GHG = Greenhouse gas

ICE = Internal Combustion Engine

LDEQ = Louisiana Department of Environmental Quality

MD = Maryland

Md.R. = *Maryland Register*

MDE = Maryland Department of the Environment

MLPA = Marine Life Protection Act

NASA = National Aeronautics and Space Administration

NetDMR = Net Discharge Monitoring Report

NIOSH = National Institute for Occupational Safety and Health

NMAC = New Mexico Administrative Code

NOx = Nitrogen oxides

NPDES = National Pollutant Discharge Elimination System

NSPS = New Source Performance Standards

ODS = Ozone depleting substance

PM = Particulate matter

RACT = Reasonably available control technology

REC = Renewable energy credit

RIN = Regulatory Identification Number

RRAC PC = Principal Center for Regulatory Risk Analysis and Communication

SIP = State Implementation Plan

SMAQMD = Sacramento Metropolitan Air Quality Management District

SCAQMD = South Coast Air Quality Management District

STEER = State of Texas Environmental Electronic Reporting System

TRI = Toxic release inventory

U.S. = United States

USP = Unified Strategic Plan

Va.R. = *Virginia Register*

VAC = Virginia Administrative Code

VDEQ = Virginia Department of Environmental Quality

VOC = Volatile organic compound

WCI = Western Climate Initiative

WFF = Wallops Flight Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05082009-1	CAA ODS-Methyl Bromide	04/30/2009	74 FR 19878	Final Rule	Protection of Stratospheric Ozone: The 2009 Critical Use Exemption from the Phase Out of Methyl Bromide [40 CFR Part 82] Authorizes uses of methyl bromide that qualify for the 2009 critical use exemption. Effective 04/30/2009. [RIN 2060-AO78]	
FED05082009-2	Endangered Species Act American Pika	05/07/2009	74 FR 21301	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition to List the American Pika as Threatened or Endangered with Critical Habitat [50 CFR Part 17] Announces a 90-day finding on a petition to list the American pika as threatened or endangered. Finding is that listing of the American pika may be warranted. Initiates a status review of the species. The American pika is a small montane mammal distributed discontinuously throughout the western United States and Canada. The habitat extends south from central British Columbia and Alberta into the Rocky Mountains of New Mexico and the Sierra Nevada of California. Solicits scientific and commercial data regarding the species. Comments due 07/06/2009.	
FED05082009-3	Endangered Species Act Interagency Cooperation	05/04/2009	74 FR 20421	Final Rule	U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration Interagency Cooperation under the Endangered Species Act [50 CFR Part 402] Amends regulations governing interagency cooperation under the Endangered Species Act. Withdraws amendments that were effective 01/15/2009 (73 FR 76272 , 12/16/2008) regarding the consultation process required to be followed by federal agencies when they take an action that "may affect" listed species or critical habitat. Implements the regulations that were in effect immediately prior to 01/15/2009. Requests comments on potential changes to the consultation requirements. Effective 05/04/2009. [RIN 1018-AW73, RIN 0648-AX87]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05082009-4	Energy Biofuels	05/07/2009	74 FR 21531	Memorandum	<p>Presidential Memorandum</p> <p>Biofuels and Rural Economic Development–Memorandum for the Secretary of Agriculture, the Secretary of Energy, and the Administrator of the Environmental Protection Agency</p> <p>Establishes a Biofuels Interagency Working Group. The responsibilities of the Working Group will include the following:</p> <ul style="list-style-type: none"> ▪ Developing the nation's first comprehensive biofuel market development program ▪ Coordinating infrastructure policies affecting the supply, secure transport, and distribution of biofuels ▪ Identifying new policy options to promote the environmental sustainability of biofuels feedstock production. <p>Memorandum dated 05/05/2009.</p>	
FED05082009-5	Engine Emissions Turbine Engine-powered Airplane Emission Standards	04/28/2009	74 FR 19125	Final Rule	<p>Federal Aviation Administration</p> <p>Emission Standards for Turbine Engine-powered Airplanes [14 CFR Part 34]</p> <p>Amends the emission standards for turbine engine-powered airplanes to incorporate EPA standards. Also amends certain test procedures for gaseous exhaust emissions, which are based on the standards of the International Civil Aviation Organization for gaseous emissions of NOx. Effective 06/29/2009. [RIN 2120-AJ41]</p>	
FED05082009-6	EPCRA TRI	04/27/2009	74 FR 19001	Final Rule	<p>Toxics Release Inventory Form A Eligibility Revisions Implementing the 2009 Omnibus Appropriations Act [40 CFR Part 372]</p> <p>Amends regulations on the eligibility criteria for submitting a Form A Certification Statement in lieu of the Form R submitted by facilities subject to TRI reporting. Eliminates Form A eligibility for certain chemicals. Effective 04/27/2009. [RIN 2025-AA25]</p>	
FED05082009-7	Harmful Algal Blooms	05/04/2009	74 FR 20465	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>Implementation of New Competitive Prevention, Control, and Mitigation of Harmful Algal Blooms Program and Regional Rotation of the Existing and New National Competitive Programs</p> <p>Announces the implementation of a new competitive research program on the Prevention, Control, and Mitigation of Harmful Algal Blooms. This third national competitive program is a companion to the two existing national harmful algal bloom programs, Ecology and Oceanography of Harmful Algal Blooms and Monitoring and Event Response of Harmful Algal Blooms. Also announces that funding opportunity announcements for all three national harmful algal bloom programs will be rotated regionally on a 3-year basis.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05082009-8	Hazardous Substances Endosulfan	04/29/2009	74 FR 19558	Notice	Endosulfan; Petitions Requesting Cancellation of All Uses Solicits comments on petitions requesting that EPA cancel all uses of the organochlorine pesticide endosulfan. Comments due 06/29/2009. It is possible endosulfan may also be used in non-pesticide industrial applications.	
FED05082009-9	Hazardous Substances Hazardous Drugs List	04/29/2009	74 FR 19570	Notice	National Institute for Occupational Safety and Health Updating the List of Hazardous Drugs for the NIOSH Alert: Additions and Deletions to the NIOSH Hazardous Drug List Announces the availability of the following draft document available for public comment entitled, " Updating the List of Hazardous Drugs for the NIOSH Alert: Additions and Deletions to the NIOSH Hazardous Drug List ." The NIOSH Hazardous Drug List is an appendix to the " NIOSH Alert: Preventing Occupational Exposures to Antineoplastic and Other Hazardous Drugs in Health Care Settings ." Comments due 06/30/2009.	
FED05082009-10	Nuclear Facility Operating Licenses	05/05/2009	74 FR 20741	Notice	Nuclear Regulatory Commission Biweekly Notice: Applications and Amendments to Facility Operating Licenses Involving No Significant Hazard Considerations Lists amendments issued or proposed to be issued to Facility Operating Licenses involving No Significant Hazards Considerations. This means that operation of the facility in accordance with the proposed amendment would not do any of the following: <ul style="list-style-type: none"> Involve a significant increase in the probability or consequences of an accident previously evaluated. Create the possibility of a new or different kind of accident from any accident previously evaluated. Involve a significant reduction in a margin of safety. It includes the following item: <ul style="list-style-type: none"> National Aeronautics and Space Administration, Docket Nos. 50-30 and 50-185, Plum Brook Reactor Facility, Sandusky, Ohio. The proposed amendment would add a new paragraph to Licenses TR-3 and R-93 requiring that NASA assess the residual radioactivity and demonstrate that the stream bed and banks of Plum Brook between Plum Brook Station boundary and Sandusky Bay meet the radiological criteria for unrestricted use specified in 10 CFR 20.1402 before terminating Licenses TR-3 and R-93. Comments due 06/04/2009.	Plum Brook should be aware of this action.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05082009-11	Toxic Substances 1,4-Dioxane	05/07/2009	74 FR 21361	Notice	Draft Toxicological Review of 1,4-Dioxane: In Support of the Summary Information in the Integrated Risk Information System Announces a public comment period for the external review draft document titled, " Toxicological Review of 1,4-Dioxane: In Support of Summary Information on the Integrated Risk Information System ". Comments due 07/06/2009.	
FED05082009-12	Toxic Substances Halogenated Platinum Salts and Platinum Compounds	04/27/2009	74 FR 19083	Notice	Draft Toxicological Review of Halogenated Platinum Salts and Platinum Compounds: In Support of the Summary Information in the Integrated Risk Information System Announces an external peer review workshop to review the external review draft document titled, " Toxicological Review of Halogenated Platinum Salts and Platinum Compounds: In Support of Summary Information on the Integrated Risk Information System ." Workshop to be held 05/21/2009 in Washington, D.C.	
FED05082009-13	Toxic Substances Pentachlorophenol	05/07/2009	74 FR 21362	Notice	Draft Toxicological Review of Pentachlorophenol: In Support of the Summary Information in the Integrated Risk Information System Announces a public comment period for the external review draft document titled, " Toxicological Review of Pentachlorophenol: In Support of Summary Information on the Integrated Risk Information System ." Comments due 07/06/2009.	

1.2 Significant News and Other Developments

EPA Announces Public Meeting on Definition of Solid Waste Rule

EPA has received an administrative petition to repeal the DSW rule, which became effective 29 December 2008. A public meeting is planned for the end of June to discuss possible revisions to the DSW rule. EPA will provide the meetings details in a Federal Register notice to be published in May.

The DSW rule streamlined regulatory requirements for certain types of materials in an effort to encourage the recycling of hazardous secondary materials. The rule also addresses the meaning of the term "discard," which forms the basis of the DSW. Additional information is available on [EPA's website](#).

1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group Calls in 2009 will be held on the following Wednesdays at 12 p.m. CT:

- 20 May
- 17 June
- 1 July
- 15 July
- 5 August
- 19 August
- 2 September
- 16 September
- 7 October
- 21 October
- 4 November
- 18 November
- 2 December

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL05082009-1	Administration Application Fees	04/30/2009	AAM Vol. XXVII, No 7, p. 285	Final Rule	335-ADEM 1-Application Fees 6-Application Fees Final rule adds a new Fee Schedule J, Environmental Covenant Fees to 335-1-6-.04 Permit Application/Registration Fees . A list of specific changes is provided in the Division 1 document. Effective 04/21/2009.	
AL05082009-2	Solid Waste	04/30/2009	AAM Vol. XXVII, No 7, p. 285	Final Rule	335-ADEM 13-Solid Waste Program 11-Solid Waste Fund Site Remediation Final rule creates 335-13-11 Solid Waste Fund Site Remediation to establish procedures for the disbursement of monies from the Solid Waste Fund for use in assessing, investigating, conducting necessary remediation, and achieving closure of unauthorized solid waste dumps. A list of specific changes is provided in the Division 13 document. Effective 04/21/2009.	
AL05082009-3	Uniform Environmental Covenants Program	04/30/2009	AAM Vol. XXVII, No 7, p. 285	Final Rule	335-ADEM 5-Uniform Environmental Covenants Program Adopts final rule, 335-5 Uniform Environmental Covenants Program . A list of specific changes is provided in the Division 5 document. Effective 04/21/2009.	
AL05082009-4	Unified Strategic Plan	04/30/2009	AAM Vol. XXVII, No 7, p. 285	Final Rule	335-ADEM 1-General Administration 1-Organization Final rule revises 335-1-1-.03 Organization and Duties of the Commission to establish a process for updating the USP, the plan under which the Commission and ADEM will operate. A list of specific changes is provided in the Divisions 1 and 2 documents. Effective 04/21/2009.	
AL05082009-5	Unified Strategic Plan	04/30/2009	AAM Vol. XXVII, No 7, p. 285	Final Rule	335-ADEM 2-Environmental Management Commission-2 Petitions for Rulemaking The final rule revises 335-2-2-.05 Consideration of Petition to include consideration of the relevance and relation of a proposed rule to the most recent USP as an item that the Commission may take into account when it considers petitions for rulemaking. A list of specific changes is provided in the Divisions 1 and 2 documents. Effective 04/21/2009.	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA05082009-1	Air Greenhouse Gas	05/08/2009	CRNR 2009, 19z, p. 701	Notice Public Hearing	Air Resources Board Notice of Public Hearing to Consider Adoption of Proposed AB 32 Cost of Implementation Fee Regulation and Proposed Amendment to Existing Regulation for Mandatory Reporting of GHG Emissions Announces a hearing to consider adopting a new regulation to impose fees on certain sources of GHG emissions. Will also consider adopting an amendment to the existing Regulation for the Mandatory Reporting of GHG Emissions. Public hearing is scheduled for 06/25/2009 and 06/26/2009 in Sacramento, California.	
CA05082009-2	Air Motor Vehicles	05/01/2009	CRNR 2009, 18z, p. 669	Notice Public Hearing	Air Resources Board Plug-in Hybrid Electric Vehicle Announces a hearing to discuss amendments to motor vehicle test procedures regarding exhaust emissions, evaporative emissions, and refueling emissions, and new requirements for certification of aftermarket conversion systems for plug-in hybrid electric vehicles. Hearing is 05/28/2009 in Sacramento, California.	
CA05082009-3	Air Motor Vehicles–Fleets	05/08/2009	CRNR 2009, 19z, p. 690	Notice Public Hearing	Air Resources Board Notice of Public Hearing to Adopt Proposed AB 118 Enhanced Fleet Modernization Program Regulation (Car Scrap) Announces a hearing to consider adopting the proposed AB 118 Enhanced Fleet Modernization Program Regulation. Public hearing is scheduled for 06/25/2009 and 06/26/2009 in Sacramento, California.	
CA05082009-4	Air SIP–NOx	05/06/2009	74 FR 20880	Direct Final Rule	U.S. Environmental Protection Agency Revisions to the California SIP, South Coast Air Quality Management District Sacramento Metropolitan Air Quality Management District [40 CFR Part 52] Approves revisions to the SCAQMD and SMAQMD portion of the SIP. These revisions concern NOx emissions from boilers, process heaters, steam generators, and residential water heaters. Effective on 07/06/2009.	
CA05082009-5	Endangered Species	05/08/2009	CRNR 2009, 19z, p. 699	Proposed Rule	Fish and Game Commission List Longfin Smelt as a threatened species [14 CCR 670.5] Proposes to list the longfin smelt as a threatened species. Public hearing is scheduled for 06/25/2009 in Woodland, California. Further information on this action is available on the Commission's website.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA05082009-6	Fuels Alternative and Renewable Fuels	05/01/2009	CRNR 2009, 18z, p. 679	Final Rule	California Energy Commission Alternative & Renewable Fuel & Vehicle Technology Program [20 CCR 3100, 3101, 3101.5, 3102, 3103, 3104, 3105, 3106, 3107, and 3108] Implements the Alternative and Renewable Fuel and Vehicle Technology Program . Describes program proposals that will receive preferences in the awarding of program funds. Establishes program sustainability goals and criteria that will be used to evaluate applications. Establishes certain funding restrictions on activities already required by law. Describes the purpose and requirements for the Investment Plan and describes how the Advisory Body will be created, as well as its duties and operations. Effective 04/22/2009.	
CA05082009-7	Marine Protected Areas	05/01/2009	CRNR 2009, 18z, p. 637	Proposed Rule	Fish and Game Commission Marine Protected Areas [14 CCR 632] Proposes requirements intended to meet the goals described in the Marine Life Protection Act within a portion of California's north central coast. Comments due 07/31/2009.	
CA05082009-8	Proposition 65 Bisphenol A	05/01/2009	CRNR 2009, 18z, p. 670	Notice Public Meeting	Office of Environmental Health Hazard Assessment Availability of Hazard Identification Materials for Bisphenol A for the 07/15/2009 Developmental and Reproductive Toxicant Identification Committee Meeting Announces the availability of hazard identification information for bisphenol A and commencement of a 60-day public comment period. A public meeting will be held 07/15/2009 to consider adding bisphenol A to the list of chemicals known to the State to cause reproductive toxicity. Comments due 06/30/2009.	
CA05082009-9	Radiation Radioactive Material Transport	05/08/2009	CRNR 2009, 19z, p. 724	Final Rule	Department of Public Health Transportation of Radioactive Material [17 CCR 30100, 30346.1, 30373] Finalizes amendments regarding the transportation of radioactive material to ensure their compatibility with federal changes made by the Nuclear Regulatory Commission. Effective 05/24/2009.	
CA05082009-10	Safety Electrical	05/01/2009	CRNR 2009, 18z, p. 625	Proposed Rule Public Hearing	Occupational Safety and Health Standards Board Notice of Public Meeting/Public Hearing/Business Meeting of the Occupational Safety and Health Standards Board and Notice of Proposed Changes to Title 8 of the California Code of Regulations [8 CCR 3277, 5306] Proposed changes relate to fixed ladders and electric blasting in proximity to radio, television or radar transmitters. Public hearing is scheduled for 06/18/2009 in Oakland, California.	

2.3 Colorado State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Colorado.

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL05082009-1	Air Greenhouse Gases	05/01/2009	FAW Notice #7079271	Notice Development of Rulemaking Workshop	Chapter 62–FDEP 285–Greenhouse Gas Emissions Reduction 300–Electric Utility Greenhouse Gas Reduction Program Proposes to develop regulatory requirements to implement the following details of the proposed cap and trade program for electric utilities: <ul style="list-style-type: none"> Procedures for allocating GHG emission allowances to allow tracking accounts of different types Establishing allowance tracking accounts and tracking allocations, deductions, and transfers to and from such accounts Monitoring and reporting of GHG emissions Creating and using GHG emissions offsets A rule development workshop will be held 05/19/2009 at FDEP, Tallahassee, Florida.	
FL05082009-2	Wastewater Sewage Treatment	05/01/2009	FAW Notice #7061326	Notice of Change	Chapter 64E–Division of Environmental Health 6–Standards for Onsite Sewage Treatment and Disposal Systems Announces that changes have been made to the proposed rule published in FAW Notice #6858790 that address the existing system tank inspection procedures; operating permits; filters, and components; land application of septage; drainfield repairs; portable restrooms; design, construction location, and use of septic tanks, dosing systems, drip irrigation systems, performance-based treatment systems, aerobic treatment systems, and mound drainfield systems; system abandonment; site evaluations; reports required; and availability of forms. The specific changes are included in the FAW Notice .	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA05082009-1	Water Electronic Reporting	04/27/2009	74 FR 19081	Final Rule	U.S. Environmental Protection Agency Cross-Media Electronic Reporting Rule State Approved Program Revision/Modification Approval: State of Louisiana EPA has approved LDEQ's request to allow electronic reporting for the specified reports: <ul style="list-style-type: none"> 40 CFR Part 123--NPDES State Program Requirements Part 403--General Pretreatment Regulations for Existing and New Sources of Pollution Programs for electronic reporting of discharge monitoring report information submitted under 40 CFR Parts 122 and 403 Effective 04/27/2009.	

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD05082009-1	Air CO ₂ Budget Trading Program	05/08/2009	36:10 Md.R. 717	Final Action	<p>Maryland Department of the Environment</p> <p>Maryland CO₂ Budget Trading Program</p> <p>Finalizes amendments to regulations under COMAR 26.09.01, .02, and .03. Includes revisions to regulations for the Voluntary Renewable Set-aside Account, from which CO₂ allowances will be permanently retired based on certain documented purchases of voluntary renewable energy. In general, when a ratepayer elects to purchase renewable energy to cover all or a portion of electricity needs, the ratepayer may request a REC from the electricity generator. The ratepayer may accumulate or coordinate with an aggregator to gather RECs equaling at least 1 ton of CO₂ emissions. The ratepayer or aggregator may then submit RECs equal to at least 1 ton of CO₂ emissions to MDE, which will retire one CO₂ allowance from the Voluntary Renewable Set-aside Account allowance pool for every ton of CO₂ emissions avoided through the voluntary purchase of renewable energy. Effective 05/18/2009.</p>	
MD05082009-2	Air NO _x Emissions	05/08/2009	36:10 Md.R. 718	Final Action	<p>Maryland Department of the Environment</p> <p>Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations</p> <p>MDE has adopted and amended regulations under COMAR 26.11.02 and 26.11.09 to establish NO_x emission requirements for stationary ICEs that are used as emergency generators or load shaving units, as defined in COMAR 26.11.09.01. The proposed action would do the following:</p> <ul style="list-style-type: none"> Prohibit emergency generators from testing between 12:01 a.m. to 2 p.m. on high ozone days. Require existing load shaving units to control NO_x emissions, install new engines that meet federal NSPSs, or limit operation to a total of 10 hours during any ozone season. Require new load shaving units to meet NSPSs or to install controls to meet the applicable NO_x emission standards. Allow groups of small generators to request alternative compliance methods. Provide an alternative compliance option for load shaving units that involves the purchase of NO_x allowances to be retired. <p>According to MDE, control device systems for smaller diesel generators range from \$45,000 to \$180,000; larger systems range from \$250,000 to \$300,000. The purchase of a new, cleaner engine meeting EPA's NSPS standard would cost in the range of \$65,000 to \$150,000. Seasonal NO_x allowances cost \$650 per ton. Effective 05/18/2009.</p>	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM05082009-1	Air Quality	04/30/2009	NM Register Vol. XX, p. 423	Notice	<p>New Mexico Environmental Improvement Board</p> <p>20.2 NMAC Air Quality</p> <p>Announces a public hearing to discuss revisions to the New Mexico Air Quality regulations as follows:</p> <ul style="list-style-type: none"> Proposal to revise: 20.2.2 NMAC–New Mexico Administrative Code Definitions 20.2.74 NMAC–Permits-Prevention of Significant Deterioration 20.2.79 NMAC–Permits-Nonattainment Areas <p>The hearing will be held on 07/17/2009 at NMED in Santa Fe, New Mexico.</p>	
NM05082009-2	Air Quality	04/30/2009	NM Register Vol. XX, p. 423	Notice	<p>New Mexico Environmental Improvement Board</p> <p>20.2 NMAC Air Quality</p> <p>Announces a public hearing to discuss revisions to the New Mexico Air Quality regulations as follows:</p> <ul style="list-style-type: none"> Proposal to revise: 20.2.77 NMAC–New Source Performance Standards 20.2.78 NMAC–Emission Standards for Hazardous Air Pollutants 20.2.82 NMAC–Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants <p>The hearing will be held on 07/07/2009 at NMED in Santa Fe, New Mexico.</p>	

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH05082009-1	Air Ohio SIP– VOCs	05/07/2009	74 FR 21295	Proposed Rules	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Ohio: Volatile Organic Compound (VOC) Emission Control Measures for Cleveland [40 CFR Part 52]</p> <p>Proposes to approve revisions to the Ohio SIP regarding several VOC rules. The purpose of these rules is to satisfy the VOC RACT requirement for the Cleveland-Akron 8-hour ozone nonattainment area. Revisions include requirements for process vents in batch operations, industrial wastewater operations, aerospace manufacturing and rework facilities, plastic parts coating, and storage of volatile organic liquids, among others. Additionally, Ohio adopted new rules and revisions to existing rules to address recent CTGs issued by EPA, including the industrial solvent cleaning category, among others. Comments due 06/08/2009.</p> <p>SIP References:</p> <p>General Provisions–40 CFR Part 52 Subpart A</p> <p>Ohio SIP–40 CFR Part 52 Subpart KK</p>	NASA Centers and programs operating in Ohio should be aware of the proposed revisions.

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX05082009-1	CAA Texas SIP-PM	04/28/2009	74 FR 19144	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Revisions to Particulate Matter Regulations [40 CFR Part 52] Approves revisions to the Texas SIP. These revisions revise and recodify regulations for control of PM in the Texas SIP. Effective 05/28/2009.	
TX05082009-2	Electronic Reporting NetDMR and STEERS	04/27/2009	74 FR 19082	Notice	U.S. Environmental Protection Agency Cross-Media Electronic Reporting Rule State Authorized/Approved Program Modification/Revision Approval: State of Texas Announces EPA's approval of the State of Texas' request to modify its program to allow electronic reporting for certain EPA authorized programs. Approves requested modifications to the NetDMR and the STEERS electronic document receiving systems. Effective 05/27/2009 for the State of Texas' National Primary Drinking Water Regulations Implementation Program if no timely request for a public hearing is received and accepted. Effective 04/27/2009 for all other programs.	

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.11.1 Western Climate Initiative

The WCI has released its *Response to Stakeholder Comments, and Final Draft Essential Requirements of Mandatory Reporting for the Western Climate Initiative*, which includes revisions to some previously released requirements, as well as new requirements for source categories that were not previously released. The WCI would like stakeholders to provide comments on these documents between 8 May 2009 and 4 June 2009. The documents available for review are located on the [WCI website](#).

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA05082009-1	Air Open Burning	05/06/2009	VDEQ website	Notice	Virginia Department of Environmental Quality 9 Virginia Administrative Code (VAC) 5-130. Open burning is prohibited in the City of Hampton from 05/2009 through 09/2009.	
VA05082009-2	Environmental Impact Review	05/01/2009	VDEQ website	Notice	Virginia Department of Environmental Quality Coastal Zone Management Act Review of a proposed expansion project at NASA's WFF to determine consistency with the CZMA. Comments due 05/22/2009.	WFF should be aware of this action.